

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the plug connector pad on top of the plate of the lock plate assembly must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2, 3, 5, 7, 12, 19, 20-28, 30, 46 and 47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5, 7, 21, 30, 46, and 47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim. In addition, regarding to claim 47, the step of "g." has been occurred twice.

The term "IPOD" in Claims 2 and 27 and "AA" in claim 47 appear to be trademarks, which is indefinite. Trademarks, by their nature, are not necessarily permanent and may refer to many different types of goods and/or services and in addition the types of goods and/or services these trademarks refer to may change over time. Therefore, the examiner recommends amending the claims so that they recite a more generic and permanent term.

"OEM" is indefinite in claim 3. The examiner has interpreted it to be original equipment manufacturer.

Regarding claim 12, the term "And with fabric lining" constitutes incorrect grammar as incorporated into the sentence which, in this case, renders the claim indefinite since it cannot be determined what the subject matter is that is claimed.

Claim 19 recites the limitation of "wherein a narrow space is carved in along one side of the wall to receive the connecting means". There is insufficient antecedent basis for this limitation in the claim specifically "the wall" since no wall is recited in the parent claims.

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Regarding claim 20, the term "a plug connector pad on top of the plate" is indefinite since Figs. 2, 3, 13, 14, 15, and 16 do not show the plug connector pad on top of the plate. The examiner has interpreted claim 20 without this limitation because the examiner believes that this interpretation reflects the subject matter that the applicant regards as his invention.

Claims 22-26 and 28 are rejected for incorporating the above errors from their respective parent claims by dependency.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. Claims 1-3, 5, 30, 41 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grady (US Pub. No. 2004/0162029 A1) (hereinafter as Grady '029) in view of Leonovich, Jr. (US Pat. No. 5,235,822).

Regarding claim 1, Grady '029 teaches a portable audio amplifying apparatus comprising: a receptacle for receiving a portable handheld multimedia device (docking cavity, [0030]); a connecting means for connecting the portable handheld multimedia device to the receptacle (coupling means for connecting with an audio output port of the MP3 player to receive audio signals produced by such MP3 player, [0030]); an amplifier means for amplifying a plurality of audio signals from the portable handheld multimedia device (amplifier for amplifying the received audio signal [0015] where the signal can be either through the coupling means [0015] or from an FM transmitter that may be integrated into the audio player unit to form a compact unit therewith, for transmitting audio signals outputted by the MP3 player to the FM receiver coupled to the speaker [0016]); at least one audio speaker for delivering quality audio generated by the amplifier means (an audio player unit with at least one speaker, [0013]); and a power source means for supplying electricity to the amplifying means and the audio speakers (the powering supply of the audio player, [0031]). Although Grady '029 does not explicitly teach a handle on the top of the apparatus to enhance portability, it would have been obvious for one of ordinary skill in the art to add a handle to the audio player as taught by Leonovich, Jr. (The cooler handle, for use in carrying the cooler, is formed integrally with the top; Leonovich, Jr., Col. 2, lines 5-8) with the motivation of providing a means for carrying the apparatus.

Regarding claim 2, Grady '029 in view of Leonovich, Jr. teaches the apparatus of claim 1, wherein the portable handheld multimedia device is an MP3 player (such as IPODTM an IPODTM 2.0, an IPODTM 3.0 and IPODTM mini players) or any other suitable portable handheld multimedia asset player for recording, organizing, transmitting,

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manipulating, and reviewing audio files (The present invention provides an audio player assembly incorporating an MP3 player; Grady '029, [0028]).

Regarding claim 3, Grady '029 in view of Leonovich, Jr. inherently teaches the apparatus of claim 1, wherein the audio speakers are OEM or after-market audio speakers because all speakers must either be installed by the original manufacturer or at some point later (after-market).

Regarding claims 5 and 30, Grady '029 in view of Leonovich, Jr. teaches the invention as best understood by the examiner. See the rejection of claim 1 set forth above.

Regarding claim 41, Grady '029 in view of Leonovich, Jr. teaches the apparatus of claim 1, wherein the power source means is located in the rear compartment of the portable audio amplifying apparatus (the powering supply of the audio player, Grady '029, [0031]).

Regarding claim 46, Grady '029 in view of Leonovich, Jr. teaches the apparatus of claim 1 with the portable handheld multimedia device inserted into the receptacle as set forth in Figure 18 (handheld device is inserted into docking cavity, Grady '029, [0030]).

6. Claims 29 and 31-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grady (US Pub. No. 2004/0162029 A1) (hereinafter as Grady '029) in view of Leonovich, Jr. (US Pat. No. 5,235,822) and further in view of Skowronski (International

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Pub. No. WO 02/093708) and Grady (US Pat. No. 6,591,065 B1)(hereinafter as Grady '065).

Regarding claim 29, although Grady '029 in view of Leonovich, Jr. teaches that the apparatus of claim 1, wherein the connecting means comprises an input plug (The modular docking unit 16 can be provided with a male connector element (not shown) matably engageable with the headphone port of the MP3 player; Grady '029, [0035], however it is shown in Fig. 1 (part 26) of Grady '065 with an explanation of the figure found in Grady '065, Col. 3, lines 44-48). It is noted that Grady '029 incorporates the entire disclosure if Grady '065 into the specification (Grady '029, [0027]). Although Grady '029 in view of Leonovich, Jr. does not teach a finger grasp, a spring mechanism, and a cable connector as required, it would have been obvious for one of ordinary skill in the art to implement the cord reel assembly of Skowronski with the apparatus of Grady '029 in view of Leonovich, Jr. with the motivation of providing a solution to the need for a convenient method of transporting and storing the cords used with handheld multimedia devices as disclosed by Skowronski (Skowronski, Pg. 3, lines 15-17). Skowronski also notes that the invention may be modified by changing the shape of the cradle to accommodate different devices Skowronski, Pg. 8, lines 16-18). Skowronski teaches a multimedia device docking station wherein there is a retractable cable with a finger grasp (body of line plug shown in Fig. 1; Skowronski, Pg. 16, lines 10-11; Fig. 1, 84), a spring mechanism (Any spool or cord reel assembly is suitable for use with this invention. The details of mounting a spool 22 for rotation within a housing 20, and retraction means, such as springs, are known in the art; Skowronski, Pg. 9, lines 3-5), and a cable connector (spool; Skowronski, Pg. 9, lines 3-5). Although the line plug of Skowronski is not

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explicitly disclosed as being an input cable from the handheld device to the docking station, it would have been obvious for one of ordinary skill in the art to use such a configuration in the device of Grady '029 since doing so would yield no unexpected result.

Regarding Claim 31, Grady '029 in view of Leonovich, Jr., and further in view of Skowronski in further view of Grady '065 teaches the apparatus of claim 29, wherein the connecting means is nestled in the space in the sidewall of the receptacle. While Grady '029 in view of Leonovich, Jr. does not explicitly teach the feature of having the connecting means nestled into the side of the receptacle, Skowronski teaches that the cord reel housing is located underneath the receptacle (Skowronski, Pg. 8, lines 19-21). It would have been obvious to place the reel housing in the sidewall of the receptacle because it is a rearrangement of parts which requires only routine skill of the art when no unexpected result occurs.

Regarding Claim 32, Grady '029 in view of Leonovich, Jr., and further in view of Skowronski in further view of Grady '065 teaches the apparatus of claim 29, wherein the input plug is a standard 3.5mm mini stereo plug (male connector element 26 is a standard 3.5mm stereo plug according to Figure 1, Grady '065, Fig. 1, Col. 3, lines 44-48). It would have been obvious for one of ordinary skill in the art to use this plug in the apparatus of claim 29 because this was well known in the art to be one of the most common handheld device output device plug standards on the market prior to the invention.

Regarding Claim 33, Grady '029 in view of Leonovich, Jr., and further in view of Skowronski in further view of Grady '065 teaches the apparatus of claim 29, wherein the

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input plug is attached to the finger grasp (body of line plug shown in Fig. 1; Skowronski, Pg. 16, lines 10-11; Fig. 1, 84).

Regarding Claim 34, Grady '029 in view of Leonovich, Jr., and further in view of Skowronski in further view of Grady '065 teaches the apparatus of claim 29, wherein the finger grasp is used to place the input plug into the "audio out" or "headphone" jack of the portable handheld multimedia device (male connector element 26 matably engageable with the headphone port of the MP3 player; Grady '065, Col. 3, lines 44-48).

Regarding Claim 35, Grady '029 in view of Leonovich, Jr., and further in view of Skowronski in further view of Grady '065 teaches the apparatus of claim 29, wherein a finger grasp for the input plug is uniquely shaped to accommodate large fingers in the small space of the interior of the receptacle (In the retracted state, the plugs are inside the cord reel housing or against the side of the housing, and are easily accessible to the user; Skowronski, Pg. 5, lines 11-13). The body of the line plug 84 is shaped uniquely allowing large fingers to grasp it (See Fig. 1 of Skowronski).

Regarding Claim 36, Grady '029 in view of Leonovich, Jr., and further in view of Skowronski in further view of Grady '065 teaches the apparatus of claim 29, wherein the input plug is attached to cable connector (spool; Skowronski, Pg. 9, lines 3-5). The line plug 84 is connected to the spool (see Fig. 5).

Regarding Claim 37, Grady '029 in view of Leonovich, Jr., and further in view of Skowronski in further view of Grady '065 teaches the apparatus of claim 29, wherein the cable connector is placed between the finger grasp and the spring mechanism to secure the input plug in place (Any spool or cord reel assembly is suitable for use with this invention. The details of mounting a spool 22 for rotation within a housing 20, and

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retraction means, such as springs, are known in the art; Skowronski, Pg. 9, lines 3-5, see Fig. 5).

7. Claims 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grady (US Pub. No. 2004/0162029 A1) (hereinafter as Grady '029) in view of Leonovich, Jr. (US Pat. No. 5,235,822) and further in view of Gates, Jr. (US Pat. No. 3,952,154).

Regarding claim 38, although Grady '029 in view of Leonovich, Jr. does not teach claim 1 wherein the amplifier means comprises an input cable and an audio input sensor as required, Gates, Jr. teaches an amplifier with an audio input sensor (audio input sensors, Gates, Jr., see abstract) and an input cable (there is inherently an input cable that connects to the jack on the rear panel, Gates, Jr., Col. 3, lines 11-15). It would have been obvious to one of ordinary skill in the art to utilize the selector of Gates, Jr. with the apparatus of Grady '029 in view of Leonovich, Jr. with the motivation of added convenience through automation (Gates, Jr., Col. 1, lines 12-15) in media player/amplifier combinations.

Regarding claim 39, Grady '029 in view of Leonovich, Jr. in further view of Gates, Jr. teaches the apparatus of claim 38, wherein the input cable runs into a signal sensor and automatically switches on the amplifier (Assuming the tuner has been energized, an audio signal from the tuner will be transmitted by the unit 20 to the amplifier and speaker system., Gates, Jr., Col. 3, lines 29-34).

Regarding claim 40, Grady '029 in view of Leonovich, Jr. in further view of Gates, Jr. teaches the apparatus of claim 38, wherein the signal sensor sends audio signals

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to the amplifier, which then sends the amplified signals to the audio speakers (If the record player or the tape unit is subsequently set into operation, transmitting that signal to the amplifier and speaker system., Gates, Jr., Col. 3, lines 33-38).

8. Claims 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grady (US Pub. No. 2004/0162029 A1) (hereinafter as Grady '029) in view of Leonovich, Jr. (US Pat. No. 5,235,822).

Regarding claim 42, Grady '029 in view of Leonovich, Jr. in view of Official Notice teaches the apparatus of claim 1, wherein electricity is supplied to the power source by means of an AC power source via an AC to DC converter (the powering supply of the audio player, Grady '029, [0031]). The examiner takes official notice that even though Grady '029 in view of Leonovich, Jr. does not teach that the power source uses a specific mode of power, it would have been obvious for one of ordinary skill in the art to use an AC/DC converter, batteries, rechargeable batteries, or a battery module as a matter of design choice among art equivalents.

Regarding claim 43, Grady '029 in view of Leonovich, Jr. in view of Official Notice teaches the apparatus of claim 1, wherein electricity is supplied to the power source means by a plurality of batteries. The examiner takes official notice that even though Grady '029 in view of Leonovich, Jr. does not teach that the power source uses a specific mode of power, it would have been obvious for one of ordinary skill in the art to use an AC/DC converter, batteries, rechargeable batteries, or a battery module as a matter of design choice among art equivalents.

Regarding claim 44, Grady '029 in view of Leonovich, Jr. in view of Official Notice teaches the apparatus of claim 1, wherein electricity is supplied to the power source means by a battery module. The examiner takes official notice that even though Grady '029 in view of Leonovich, Jr. does not teach that the power source uses a specific mode of power, it would have been obvious for one of ordinary skill in the art to use an AC/DC converter, batteries, rechargeable batteries, or a battery module as a matter of design choice among art equivalents.

Regarding claim 45, Grady '029 in view of Leonovich, Jr. in view of Official Notice teaches the apparatus of claim 43, wherein the batteries are rechargeable batteries. The examiner takes official notice that even though Grady '029 in view of Leonovich, Jr. does not teach that the power source uses a specific mode of power, it would have been obvious for one of ordinary skill in the art to use an AC/DC converter, batteries, rechargeable batteries, or a battery module as a matter of design choice among art equivalents.

9. Claims 4, 6-8, 10, 11, 13, 14, 16, 17, 19, 20-22, 24, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grady (US Pub. No. 2004/0162029 A1) (hereinafter as Grady '029) in view of Leonovich, Jr. (US Pat. No. 5,235,822) further in view of "DELPHI SKYFi Audio System Installation & Operation Guide" by Delphi, 2002, Delphi Corporation, Troy, Michigan (hereinafter as Delphi) and furthermore in view of Childress, Jr. et al. (US Pat. No. 3,832,734) (hereinafter as Childress, Jr.).

Regarding claim 4, although Grady '029 in view of Leonovich, Jr. does not explicitly disclose the feature of a door assembly and lock plate assembly as required, it

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would have been obvious for one of ordinary skill in the art to store the handheld device under the protection of a door as disclosed by Childress, Jr. with the motivation of holding the handheld device in a secure manner. Childress, Jr. teaches a door assembly (door 1, Childress, Jr., Col. 2, lines 20-22) and lock plate (the hopper 19, Childress, Jr., Col. 2, lines 20-22) where the door and lock plate are part of the receptacle (tape cassette loading apparatus, Childress, Jr., Col. 1, lines 12-14). Additionally, it would have been obvious for one of ordinary skill in the art to implement the features of Childress, Jr. with the device of Delphi that stores a handheld device within a receptacle containing a door assembly (see top figure on pg. 5 of Delphi). It would have been obvious for one to use the combination of Delphi and Childress, Jr. with the device of Grady '029 in view of Leonovich, Jr. with the motivation inherent in Delphi of providing a means for protecting the handheld device.

Regarding claim 6, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teach the apparatus of claim 4, wherein the door assembly comprises a door (door 1, Childress, Jr., Col. 2, lines 18-20), a brace (latching arm 18, Childress, Jr., Col. 2, lines 18-20), and an axle (shaft 2, Childress, Jr., Col. 2, lines 22-25).

Regarding claims 7 and 21, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the invention as best understood by the examiner. See the rejection of claim 4 set forth above.

Regarding claim 8, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teach the apparatus of claim 6, wherein the door is "L"-shaped (the door 1 is shaped lower-case "L" shaped as seen from the side view, Fig.

1, Childress, Jr.). It is noted that the door disclosed by applicant in Fig. 2 of this application is more lower-case "L" shaped than upper-case "L" shaped so the examiner has interpreted "L" to be lower-case (i.e. "l").

Regarding claim 10, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 6, wherein the door contains an opening to enable the listener to access the display and control buttons of the portable handheld multimedia device (opening in door, Delphi, pg. 5, top figure).

Regarding claim 11, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 6, wherein the opening in the door is a shaped hole cut in the shell of the door (opening in door, Delphi, pg. 5, top figure).

Regarding claim 13, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 6, wherein the door is large enough to release the portable handheld multimedia device up and out of the front compartment (door, Delphi, pg. 5, top figure). The door of Delphi is large enough for the handheld device to be released from compartment.

Regarding claim 14, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 6, wherein the brace is "L"-shaped (latching arm 18 which is upper-case "L" shaped, Childress, Jr., Col. 2, lines 18-20, Fig. 1).

Regarding claim 16, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 6, wherein the brace is designed to prevent the door from accidentally opening when the door is closed,

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thus preventing the portable handheld multimedia device from accidentally falling out of the front compartment (latching arm 18, Childress, Jr., Col. 2, lines 18-20, Fig. 1). It is inherent in the teaching of Childress, Jr. that the latching arm is designed to prevent the door from accidentally opening when the door is closed.

Regarding claim 17, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 6, wherein the axle is located in the door hinge to further prevent the door from accidentally opening, thus securing the portable handheld multimedia device from accidentally falling out of the front compartment (shaft 2 located in the door hinge, Childress, Jr., Col. 2, lines 22-25).

Regarding claim 19, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 4, wherein a narrow space is carved in along one side of the wall to receive the connecting means (coupling means for connecting with an audio output port of the MP3 player to receive audio signals produced by such MP3 player which is in a narrow space in wall, Grady '029, [0030]);

Regarding claim 20, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 4, wherein the lock plate assembly comprises a plate (hopper 19, Childress, Jr., Col. 2, lines 22-25), a spring mechanism (spring 4, Childress, Jr., Col. 2, lines 22-25). As far as a plug connector pad on top of the plate, applicant does not show a plug connector pad on top of the plate in the drawings so examiner has interpreted claim 20 without the limitation of the plug connector pad.

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Regarding claim 22, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 20, wherein the lock plate assembly is placed between the door and the back wall of the receptacle (hopper 19 is placed between door 1 and frame 8, Childress, Jr., Fig. 1, Col. 3, lines 35-37).

Regarding claim 24, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 20, wherein the sides of the front plate are slightly raised to "cup" the portable handheld multimedia device and prevent it from accidentally falling out of the receptacle (hopper 19 is raised and cups the contents of the receptacle, Childress, Jr., Fig.1, Col. 2, lines 22-25).

Regarding claim 26, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 20, wherein the spring mechanism is attached to the rear of the plate (shaft 2 is attached to the rear of the hopper 19, Childress, Jr., Fig. 1, Col. 2, lines 22-25).

Regarding claim 28, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. teaches the apparatus of claim 20, with the lock plate (hopper 19, Childress, Jr., Fig. 1, Col. 2, lines 22-25). The examiner has interpreted the claim without the plug connector pad that is on top of the lock plate and is constructed of "snug" cast rubber to allow the user to rotate and move the plug laterally in any direction to set its position once for desired tight fit and not have to set it again later since this is not indicated in the drawings that the plug connector claimed is on top of the lock plate (specifically Figs. 2 and 16 of applicants drawings).

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10. Claims 9 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grady (US Pub. No. 2004/0162029 A1) (hereinafter as Grady '029) in view of Leonovich, Jr. (US Pat. No. 5,235,822) further in view of "DELPHI SKYFi Audio System Installation & Operation Guide" by Delphi, 2002, Delphi Corporation, Troy, Michigan (hereinafter as Delphi) furthermore in view of Childress, Jr. et al. (US Pat. No. 3,832,734) (hereinafter as Childress, Jr.) and finally in view of AC Tech, Inc. (Thermoplastic Material Selection Guide, April, 30, 1999, <http://www.actech-inc.com/engmrgt.htm>).

Regarding claim 9, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. in further view of AC Tech, Inc. teaches the apparatus of claim 6, wherein the door is constructed of high-quality ABS injection molded plastic to protect the portable handheld multimedia device from the elements. Although Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. does not explicitly disclose that the door is made from ABS plastic, it would have been obvious to one of ordinary skill in the art to use ABS plastic since it was well known in the art that ABS plastic was widely used for computer housings and small appliances (see first paragraphs under ABS on first page of AC Tech, Inc.) with the motivation of optimizing the quality of the door.

Regarding claim 23, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. in further view of AC Tech, Inc. teaches the apparatus of claim 20, wherein the plate is constructed of high-quality ABS injection molded plastic to protect the portable handheld multimedia device from the elements. . Although Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view

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of Childress, Jr. does not explicitly disclose that the hopper is made from ABS plastic, it would have been obvious to one of ordinary skill in the art to use ABS plastic since it was well known in the art that ABS plastic was widely used for computer housings and small appliances (see first paragraphs under ABS on first page of AC Tech, Inc.) with the motivation of optimizing the quality of the door.

11. Claims 12, 15, 18 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grady (US Pub. No. 2004/0162029 A1)(hereinafter as Grady '029) in view of Leonovich, Jr. (US Pat. No. 5,235,822) further in view of Delphi (DELPHI SKYFi Audio System Installation & Operation Guide, 2002, Delphi Corporation, Troy, Michigan) and furthermore in view of Childress, Jr. et al. (US Pat. No. 3,832,734) (hereinafter as Childress, Jr.).

Regarding claim 12, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. in view of Official Notice teaches the apparatus of claim 6, wherein rubber sheet foam cut in strips and with fabric lining is adhered with adhesive to the plastic interior of the door to gently cradle and protect the portable handheld multimedia device from scratches. Although Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. do not explicitly teach the feature of having a rubber or fabric lining in the door, the examiner takes official notice that it would have been an obvious design choice for one of ordinary skill in the art since it is well known that rubber and fabric are frequently added to surfaces in order to avoid scratching and vibration.

Regarding claim 15, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. in view of Official Notice teaches the apparatus of claim 6, wherein the brace is constructed of durable metal, such as stainless steel, or other suitable material to maintain the overall longevity of the door. Although Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. does not explicitly teach that the latching arm is constructed of a suitable material to maintain the overall longevity of the door, the examiner takes official notice that it would have been obvious for one of ordinary skill in the art to choose a suitable material that would maintain the longevity of the door.

Regarding claim 18, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. in view of Official Notice teaches the apparatus of claim 6, wherein the axle is constructed of durable metal, such as stainless steel, or other suitable material to maintain the overall longevity of the door. Although Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. does not explicitly teach that the shaft is constructed of a suitable material to maintain the overall longevity of the door, the examiner takes official notice that it would have been obvious for one of ordinary skill in the art to choose a suitable material that would maintain the longevity of the door.

Regarding claim 25, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. in view of Official Notice teaches the apparatus of claim 20, wherein rubber sheet foam cut in strips and with fabric lining is adhered with adhesive to runners on the surface of the front plastic plate to gently cradle and protect the portable handheld multimedia device from scratches. Although Grady '029 in view of

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Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. do not explicitly teach the feature of having a rubber or fabric lining in runner on the plate, the examiner takes official notice that it would have been an obvious design choice for one of ordinary skill in the art since it is well known that rubber and fabric are frequently added to surfaces in order to avoid scratching and vibration.

12. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grady (US Pub. No. 2004/0162029 A1)(hereinafter as Grady '029) in view of Leonovich, Jr. (US Pat. No. 5,235,822) further in view of Delphi (DELPHI SKYFi Audio System Installation & Operation Guide, 2002, Delphi Corporation, Troy, Michigan) furthermore in view of Childress, Jr. et al. (US Pat. No. 3,832,734) (hereinafter as Childress, Jr.) and furthermore in view of Skowronski (International Pub. No. WO 02/093708).

Regarding claim 47, Grady '029 in view of Leonovich, Jr. in further view of Delphi in further view of Childress, Jr. in view of in view of Skowronski in view of Official Notice teaches a method for operating the portable audio amplifying apparatus as recited in claim 1 comprising steps of: a) Inserting four AA batteries into a power source means for receiving batteries in the rear compartment of the apparatus (the examiner takes official notice that it would have been obvious for one of ordinary skill in the art to have a rear compartment for receiving batteries since this is well known in the art for this type of device); b) Pressing a button on top of the apparatus to open the door (the door is a button on the top of the apparatus, Delphi, pg. 5, top figure); c) Grabbing an input plug using a finger grasp and pulling the connecting means aside as set forth in Figure 13 (plug 84, Skowronski, Fig. 1); d) Sliding the portable handheld multimedia device into

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the receptacle as set forth in Figures 14 (handheld device slides into device as shown in Fig. 1, Grady '029); e) Once the portable handheld multimedia device is in place, placing the input plug using the finger grasp into the "audio out" or "headphone" jack as set forth in Figure 16 (the line plug of Skowronski would have been plugged into jacks); f) Closing the door until the "L"-shaped brace of the door assembly clicks and locks in (latching arm of Childress, Jr., Fig. 1); g) Once the door is closed, adjusting placement of the input plug to ensure the portable handheld multimedia device fit the lock plate assembly as set forth in Figure 15 (input plug is adjustable, Skowronski, Fig. 1); h) Adjusting the audio output by adjusting buttons and wheel controls of the portable handheld multimedia device through the door of the receptacle (door of receptacle, Delphi, pg. 5 top figure); i) Sliding the handle in the back of the unit straight up for portability of the amplifier (The cooler handle, for use in carrying the cooler, is formed integrally with the top; Leonovich, Jr., Col. 2, lines 5-8); and j) Pressing the button on the top of the amplifier to release the door and remove the portable handheld multimedia device (the door is a button on the top of the apparatus, Delphi, pg. 5, top figure).

Allowable Subject Matter

13. Claim 27 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

14. The following is a statement of reasons for the indication of allowable subject matter: The prior arts did not teach a portable device for receiving a handheld device

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with a spring mechanism used to hold devices of different sizes or any similar mechanism using a spring.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Carter (US Pub. No. 2003/0008631) teaches handheld device carrier with amplification. Cordova (US Pub. No. 2004/0258265) teaches a handheld device holder with door and headphones. Chick et al. (US Pub. No. 2004/0258265) teaches a handheld device docking station (see Figs. 8A-8C). Marler et al. (US Pat. No. 7,184,259) teaches a handheld device holder and amplification device.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KILE O. BLAIR whose telephone number is (571)270-3544. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joe H. Cheng can be reached on (571) 272-4433. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KB
12/10/07

/Joe H Cheng/
Supervisory Patent Examiner
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